



Docket: A-1028con

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Foerster et al.

Serial No: 08/858,389

Filed: May 19, 1997

For: METHODS AND DEVICES FOR MARKING
AND DEFINING TISSUE

Group Art Unit: 3733

Examiner: B. Koo

Assistant Commissioner for Patents
Washington, D.C. 20231

*Plaint
7-23-98
#6/B
Election*

**AMENDMENT AND RESPONSE TO
RESTRICTION ELECTION REQUIREMENT**

Sir:

In response to the Examiner's Office Action of May 12, 1998, please amend the
above identified application as follows:

IN THE CLAIMS

Please cancel claims 19-34, without prejudice to the right of Applicant to re-
file these claims in a divisional application.

Please amend claim 1 as follows:

- B1
1. (amended) A device for marking a particular tissue area within a human
body to identify [a selected location] said particular tissue area for a later diagnostic or
therapeutic procedure, comprising:
a discrete marker element; [and]
an apparatus for remotely delivering said marker element from outside the